

28 March 1958

MEMORANDUM FOR: Legislative Counsel

SUBJECT : Mutual Security Act of 1957 (P.L. 141, 85th Congress), as amended and proposed extension and amendments of the Agricultural Trade Development and Assistance Act of 1954 (P.L. 480, 83d Congress) as amended.

REFERENCE : Memorandum to ADD/S from Legislative Counsel, dated 20 November 1957 re Mutual Security Act of 1957.

1. Reference memorandum advised that the provision in the Mutual Security Act of 1957 which authorized the President to give financial assistance to schools and libraries abroad was nullified by the Mutual Security Appropriations Act, 1958, which stated that no funds should be used to carry out those functions. Although funds from the Agricultural Trade Development and Assistance Act of 1954 were available for this purpose in that the Mutual Security Act provided that it was the sense of Congress that the President should make a special effort to utilize such currencies, it was decided that this source alone was too indefinite a one upon which to base a firm PP program.

2. It should be noted that Sec. 2(b) of S. 3420 (85th Congress) provides for the inclusion in the Agricultural Trade Development and Assistance Act of 1954, of a provision almost identical to that referred to above contained in the Mutual Security Act of 1957. It authorizes the President notwithstanding the provisions of any other law to use or enter into agreements with friendly nations, to use foreign currencies accruing from sales of surplus commodities: "For providing assistance, by grant or otherwise, in the expansion or operation in foreign countries of established schools, colleges, or universities founded or sponsored by citizens of the United States, for the purpose of enabling such educational institutions to carry on programs of vocational, professional, scientific, technological, or general education; and in the supporting of workshops in American studies or American educational techniques, and supporting chairs in American studies." This would appear to be a firmer authority than that under the Mutual Security Act and in addition is not limited by annual appropriations acts.

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Assistant General Counsel

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